

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

COREY E. SCALES,

Petitioner,

Case Number: 07-12514

v.

HON. GERALD E. ROSEN

ANDREW JACKSON,

Respondent.

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ORDER OF SUMMARY DISMISSAL

Petitioner Corey E. Scales filed a *pro se* petition for a writ of habeas corpus. Petitioner, who is currently incarcerated at the Mound Correctional Facility in Detroit, Michigan, failed to pay the \$5.00 filing fee or an application for leave to proceed *in forma pauperis*. See 28 U.S.C. § 1914(a); 28 U.S.C. § 1915; Rule 3 of the Rules Governing Section 2254 Cases. The Court, therefore, issued an Order to Correct Deficiency on August 14, 2007.

The Deficiency Order required Petitioner to submit: (i) the \$5.00 filing fee; or (ii) an application to proceed *in forma pauperis*. The Deficiency Order provided that, if Petitioner did not correct the deficiency within twenty-one days from the date of the Order, the petition would be subject to summary dismissal. The time for correcting the deficiency has elapsed and Petitioner has failed to do so.

Accordingly, **IT IS ORDERED** that the petition for a writ of habeas corpus is
DISMISSED WITHOUT PREJUDICE.

s/Gerald E. Rosen
Gerald E. Rosen
United States District Judge

Dated: October 15, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 15, 2007, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry

Case Manager